HC-KAR
NC: 2026:KHC:62147
CRL.P No. 15985 of 2026
CNR: KAHC010714532026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 15985 OF 2026

(438(Cr.PC) / 482(BNSS)

BETWEEN:

1. MR SURYANARAYANA HEGDE
   S/O MR. DIWAKAR HEGDE,
   AGED ABOUT 62 YEARS,
   R/O PADU KOTAMBALLI,
   34 KUDI VILLAGE, 34 KUDI
   KOKKARNE, UDUPI - 576 234

...PETITIONER

(BY SRI. BHARATH KUMAR V.,ADVOCATE)

AND:

Digitally signed by NANDINI D
Location: HIGH COURT OF KARNATAKA

1. STATE BY THALAGHATTAPURA
   POLICE STATION,BENGALURU
   REPRESENTED BY THE STATE PUBLIC PROSECUTOR,
   HIGH COURT OF KARNATAKA
   DR. B.R. AMBEDKAR VEEDHI
   BENGALURU - 560001

...RESPONDENT

(BY SRI. RAHUL RAI HCGP)

CRL.P FILED U/S 438 CR.P.C (U/S 482 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO DIRECT THE PETITIONER HEREIN TO ENLARGE ON BAIL IN THE EVENT OF

HIS ARREST ARISING OUT OF FIR IN CR.NO.553/2011 REGISTERED BY THE RESPONDENT IN THALAGHATTAPURA P.S., AND CURRENTLY RE-NUMBERED AS CC.NO.8906/2013, PENDING BEFORE THE HONBLE II ACJM, BENGALURU RURAL, WHEREIN THE PETITIONER HEREIN IS ARRAIGNED AS ACCUSED NO.2, FOR THE OFFENCES P/U/S 454,380,411 OF IPC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: **HON'BLE MR. JUSTICE S VISHWAJITH SHETTY**

ORAL ORDER

Accused No.2 in C.C.No.8906/2013, arising out of Crime in Crime No.553/2011, registered by the Thalagattapura Police Station, for the offences punishable under Section 454, 380 and 411 of IPC is before this court in this petition filed under Section 482 of BNSS 2023, seeking anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and learned High Court Government Pleader appearing for respondent-State.

3. FIR in Crime No.553/2011, was registered by Thalagattapura Police Station, for the aforesaid offences based on the first information dated 3.12.2011 received from Mohan

A. After completing investigation, charge sheet has been filed in the said case against 3 unknown persons for the aforesaid offences. Petitioner is arraigned as accused No. 2 in the charge sheet, invoking offence punishable under Section 411 of IPC. Apprehending arrest in the said case, he had approached jurisdictional Sessions Court in Crl.Mis.No.2033/2026 which came to be dismissed on 30.09.2026. Therefore, he is before this Court.

4. In the first information submitted by the alleged victim on 03.12.2011, it is alleged that on the intervening night of 02.12.2011 and 03.12.2011, somebody had entered the house of the first informant and committed theft of the old jewellry and cash belonging to the first informant. Particulars of the gold jewellery and the cash stolen from the house were not mentioned in the FIR. After completing the investigation, charge sheet was filed in Crime No. 553 of 2011 against three persons.

5. A reading of the Charge sheet material go to show that none of the accused were arrested by the police. In the charge sheet it is alleged that accused no. 1 had committed

theft of gold jewellry totally weighing 24.820 grams from the house of the first informant and subsequently handed over the same to accused no. 2 who in turn pledged the same in Sapna Bankers. Order sheet of the Trial Court would go to show that after the charge sheet was filed, non-boilable warrant was issued against all the accused and subsequently accused No.1 was arrested and was released on regular bail.

6. The charge sheet in the present case has been filed with aforesaid allegations against three persons without even arresting any one of the accused. Therefore, the alleged recovery becomes doubtful. The petitioner has undertaken to co-operate before the Trial Court for expeditious disposal of the case. Therefore, I am of the opinion that the petitioner has made out a case for grant of anticipatory bail subject to appropriate conditions. Accordingly, the following:-

The petition is allowed. The respondent - Police or any other police in the State of Karnataka are directed to release the petitioner in the event of his arrest in C.C.No.8906/2013, arising out of Crime in Crime No.553/2011, registered by the Thalagattapura Police Station, for the offences punishable

under Section 454, 380 and 411 of IPC, subject to the following conditions:

a. The Petitioner shall appear before the Investigating Officer within 15 days from the date of receipt of the copy of this order and shall execute a personal bond for a sum of Rs.1,00,000/- with two sureties for the likesum to the satisfaction of the investigating officer.

b. Petitioner shall regularly appear before the Trial Court without fail unless exempted by the Trial Court for valid reasons.

c. Petitioner shall not tamper with the prosecution witnesses and he shall co-operate with the police for investigation and appear before them whenever called upon.

d. The petitioner shall not involve in similar offences in future.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

HR
List No.: 1 Sl No.: 74